

REMARKS

Applicant appreciates the courtesy of the Examiner in granting the telephonic interview which was conducted on October 16, 2008. During the interview, the rejections of the claims were discussed in relation to the art cited in the Office Action.

Based on the interview, reconsideration and withdrawal of the rejection of claims 1 and 25, and objection to claim 1, is respectfully requested in view of the foregoing amendments and the following remarks.

Initially, the Examiner rejected claim 1 under 35 U.S.C. § 112, paragraph 1, as failing to comply with the written description requirement. In particular, the Examiner asserted that there is no support in the specification for the term "non-synchronously with." In response, Applicant has amended claim 1, deleting the term "non-synchronously with." Accordingly, Applicant respectfully submits that the rejection under §112 should be withdrawn.

Further in the Final Office Action, the Examiner rejected claims 1 and 25 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,562,459 to Durlach ("*Durlach*"). Applicant respectfully submits that *Durlach* does not teach all of the features claimed in claim 1. This rejection was discussed during the October 16 interview and it was agreed that the rejection should be withdrawn.

As discussed during the interview, the structure recited in amended claim 1 is not anticipated by *Durlach*. In particular, the feature of a "first rotating element" is not disclosed anywhere in the *Durlach* reference. In the Office Action, the Examiner identified element 13 of FIG. 2 of the *Durlach* reference as anticipatory of the "first rotating element" of claim 1. During the interview, however, the Examiner agreed that element 13 is a stationary shaft and

therefore does not anticipate the "first rotating element." Accordingly, *Durlach* does not disclose every feature claimed in claim 1 and Applicant respectfully requests removal of the anticipation rejection. Because claim 25 depends from claim 1, Applicant respectfully submits that claim 25 is also allowable for at least the above reasons.

The Examiner has acknowledged in the Office Action that claim 2 is allowable at this time, and that claims 3-9, 24, and 26 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As claims 3-9, 24, and 26 all depend, either directly or indirectly, from claim 1, Applicant respectfully submits that any objection to these claims be removed.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

Application No.: 10/570,727

Docket No.: GFRED 3.3-010

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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